

REMARKS

No amendments are submitted at this time. Accordingly, claims 1-44 remain pending, with claims 1-38 under active consideration, and claims 39-44 withdrawn from consideration, subject to a request for rejoinder thereof. A detailed listing of claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented herein, beginning on page 2 of the present communication, with an appropriate status identifier.

The restriction of claims 1-44 under 35 USC § 121 as allegedly being directed to three separate inventions is respectfully traversed. It is respectfully submitted that all claims can readily be examined in a single case since all claims relate to methods for three-dimensional protein structure determination employing hydrogen exchange methodology, and targeted molecular replacement employing the resulting structural information. Thus, a search of any one group would, of necessity, require a search of the other groups. Therefore, no savings of PTO resources will be realized by maintaining the requirement for restriction as currently asserted.

Accordingly, reconsideration and withdrawal of the requirement for restriction are respectfully requested.

Alternatively, regrouping of the claims into fewer than three groups is respectfully requested. For example, the Group I and Group II claims (wherein Group II is drawn to methods employing the structural information obtained using the Group I method) could all be searched and examined together. Indeed, a search of one group would, of necessity, require a search of the other group. Therefore, no savings of PTO resources will be realized by maintaining the requirement for restriction as currently asserted.

In order to be fully responsive, Applicants hereby elect Group I (i.e., claims 1-38, drawn to methods of three-dimensional structure prediction and/or determination of a protein of interest of unknown structure). In conjunction with this election, Applicants further request rejoinder of

at least the Group II claims (i.e., claims 39, 40 and 43, drawn to methods of performing molecular replacement employing the structural information obtained using the Group I method).

Responsive to the further requirement to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable, Applicants hereby elect species A (i.e., a method wherein a population of sequence-overlapping endopeptidase-generated fragments is generated by cleaving said protein with an endopeptidase selected from the group consisting of a serine endopeptidase, a cysteine endopeptidase, an aspartic endopeptidase, a metalloendopeptidase, a threonine endopeptidase, and combinations of any two or more thereof).

Claims 1-38 read on the elected species.

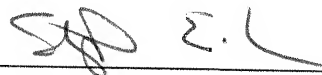
Non-elected claims 39-44 are retained herein pending final disposition of the elected claims, and subject to a request for rejoinder thereof. Indeed, each of claims 39 and 40 depend directly, or indirectly, from the elected claims. Therefore, upon acknowledgement of the patentability of the elected claims, at least non-elected claims 39 and 40 should be allowable as well.

In view of the above remarks, prompt and favorable action on all claims are respectfully requested. In the event any matters remain to be resolved in view of this communication, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved.

Respectfully submitted,

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By



FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6711
Facsimile: (858) 792-6773

Stephen E. Reiter
Attorney for Applicant
Registration No. 31,192